

Remarks

Claims 8 to 10 are amended. Claims 1 to 11 are pending in this application of which claims 1, 5, 8 and 11 are in independent form. Claims 1 to 7 and 11 are allowed.

Claims 9 and 10 were objected to because of the informalities noted on page 2, paragraph 2, of the action.

Claims 8, 9 and 10 are amended herein to correct the informalities noted by the Examiner. The claims should now be definite as required by the statute.

Claims 8 to 10 were rejected under 35 USC 103(a) as being unpatentable over Miyagi in view of Cooper et al. The following will show that claim 8 patentably distinguishes over this combination of references.

Applicants share the Examiner's view that the surgical microscope disclosed in Miyagi differs from the subject matter of claim 8 in that Miyagi provides no image display unit which includes a reflection display which is illuminated sequentially with different colors as a function of time.

However, applicants respectfully disagree with the Examiner's view that Cooper et al teaches a reflection display.

Cooper et al relates to a color video endoscope system with electronic color filtering. The endoscope system comprises a monitor (see 14 in FIG. 1) for display of an endoscopic image. This image is sensed by an image sensor (see 72 in FIG. 2) which is arranged in the viewing head (see 18 in FIG. 1) of the endoscope (see 10 in FIG. 1). The endoscope (see 10 in FIG. 1)

includes a fiber optic light guide (see 70 in FIG. 2) for directing light into a cavity. The endoscope system further comprises a light source (see 30 in FIG. 2) and a color wheel (see 40 in FIG. 2) containing circular segments of alternating red, blue and green color filters. The light from the light source is filtered by the color wheel and transmitted into the input end of the fiber optic light guide (see 70 in FIG. 2).

To summarize, there is no functional relationship between the color wheel (see 40 in FIG. 2) and the monitor (see 14 in FIG. 1). Furthermore, in Cooper et al, there is neither a disclosure as to the principle of image generation by the monitor (see 14 in FIG. 1) nor any teaching that the monitor (see 14 in FIG. 1) comprises a reflection display.

Turning now to applicants' FIG. 1, the image display unit set forth in claim 8 is schematically represented at reference numeral 11 in applicants' FIG. 1. Images from the image display unit 11 are imaged into the viewing unit 3. This is set forth in claim 8 with the clause:

"said image projection module including an image display unit for displaying said image data for transmission into said viewing unit;"

And, it is this image display unit which includes the reflection display as also set forth in claim 8 with the clause:

"said image display unit including a reflection display driven at a clock frequency and illuminated sequentially with different colors as a function of time."

From the above, it can be seen that the reflection display cannot correspond to the monitor 14 of Cooper et al.

In view of the above, the applicants respectfully submit that claim 8 patentably distinguishes their invention over the combination of Miyagi and Cooper et al and should now be allowable. Claims 9 and 10 are both dependent from claim 8 so that these claims too should be allowable.

Reconsideration of the application is respectfully requested.

Respectfully submitted,



Walter Ottesen
Reg. No. 25,544

Walter Ottesen
Patent Attorney
P.O. Box 4026
Gaithersburg, Maryland 20885-4026

Phone: (301) 869-8950

Date: September 12, 2002

RECEIVED

SEP 12 2002

TECHNOLOGY CENTER 2800

Version with Markings to Show Changes Made:

In the Claims:

Please amend claims 8 to 10 as follows:

8. (Amended) A surgical microscope comprising:

a viewing unit for viewing an object and said viewing unit defining a viewing beam path:

5 an image projection module for inputting image data into said viewing unit;

said image projection module including an image display unit for displaying said image data for transmission into said viewing unit; and,

10 said image display unit including a reflection display driven at a clock frequency and illuminated sequentially with different colors as a function of time.

9. (Amended) The surgical microscope of claim 8, wherein said image display unit includes a rotatably mounted filter wheel for illuminating said reflection display; and, a device for synchronizing the rotation of said filter wheel [with the clock ratio] to said clock frequency of said reflection display.

5
10. (Amended) The surgical microscope of [claim 10,] claim 8, wherein the brightness of said image display unit is increased by providing a time-dependent sequential illumination of said reflection display with only a single color.